

## ARTICLE F – LARGE HOUSE REVIEW (showing 8/14 changes)

*To see if the Town will vote to establish a comprehensive review procedure for large single family houses ~~to examine landscaping, natural areas, driveway design, storm water management, exterior lighting and shadow~~ by amending the Zoning Bylaw by adding a new SECTION XVID. LARGE HOUSE REVIEW. to read substantially as follows:*

### SECTION XVID. LARGE HOUSE REVIEW

#### A. PURPOSE

This Section is adopted by the Town to provide a pre-construction, ~~construction~~ and [DM1] post-construction review of single family projects **which meet the applicability standards set forth as defined** below:

#### B. DEFINITIONS

~~Aboveground~~ **Total Potential** [DM2] Living Area plus Garage Space -- This term **means the sum of the following areas, measured from the exterior surface of the exterior walls and expressed in square feet:**

- (i) **The total living area of the structure shall include all above ground finished space and any above ground unfinished space,;**
- (ii) **The unfinished area expressed is square feet,** that could be converted to finished space; **and**
- (iii) **Garage space.**

**Basement or cellar areas shall not be included in the calculation of Total Potential Living Area plus Garage Space** ~~It does not include cellar or basement area, which~~ [DM3] ~~is on average 50% or more below vertically below the finished grade surrounding the outside walls. The finished grade measurement shall be averaged based on at least one point along each exterior foundation wall measured perpendicular to and ten feet from the wall~~ [DM4]:

#### C. APPLICABILITY

The provisions of this ~~s~~Section shall apply to

1. all single family residential projects ~~for which building permits are~~ **to be** issued after January 1, 2008 [DM5] ~~exceeding [300] square feet~~ where the **Total Potential Aboveground** Living Area plus Garage ~~Space~~ **Space, after completion of the project,** exceeds:

~~————[4,500] square feet for lots within the 10,000 Square Foot Area Regulation District containing at least 10,000 square feet but less than 15,000 square feet;~~

~~————[5,500] square feet for lots within the 15,000 Square Foot Area Regulation District containing at least 15,000 square feet but less than 20,000 square feet;~~

~~————[6,600] square feet for lots within the 20,000 Square Foot Area Regulation District containing at least 20,000 square feet but less than 40,000 square feet; **and**~~

~~[8,000] square feet for lots within the 30,000 and 40,000 Square Foot Area Regulation Districts containing at least 40,000 square feet;~~

**or**

- 2. construction of a one family dwelling on a lot where a single family dwelling was demolished within ~~that the~~ past five years.**

**Notwithstanding the foregoing, this section shall not apply to single family residential projects in a 10,000 Square Foot Area Regulation District ~~there is no maximum requirement for lots containing less than 10,000 square feet~~ which require a Finding in accordance with Section 6 of Chapter 40A M.G.L and SECTION XVII of this Zoning Bylaw.**

#### **D. PROCEDURE**

**1. General. Applicants for single family residential projects which are subject to this Section shall submit the information described below to the Planning Director and shall not be entitled to issuance of a building permit unless and until the project is either approved or is deemed approved by the Planning Board in accordance with this Section.**

~~Prior to the issuance of a building or demolition permit, if preceding a rebuild meeting the above applicability requirements;~~**2. Submission of Plans. Plans consistent with specifications to be contained in rules and regulations to be adopted by the Planning Board, shall be submitted to the Planning Director. The Planning Director shall distribute said plans to the Planning Board and the Design Review Board for review. The applicant for a single family residential project subject to this Section shall provide [ten copies of] the following information to the Planning Board:-**

**Subject to waiver by the Planning Board of [DM6] specific submission elements based on the nature of the project t**~~The submission shall include:~~

1. **a site plan showing** existing site conditions, all buildings, trees over 6" caliper, and **significant** natural features<sup>[DM7]</sup>;
2. photographs of the site **showing existing-and former buildings and natural features on the site** and surrounding contiguous lots,
3. **plans of- the existing and, if available, -former buildings on the site which have been demolished during the previous five years if available;**
34. proposed site conditions showing proposed building on the site, **driveway location** and utilities;
45. proposed building elevations for each side of the proposed **project**~~building~~;
56. proposed grading, depicted by one foot contours, **and proposed** drainage structures such as catch basins, roof drains, dry wells;
67. landscape plan showing tree removal and planting, other major landscaping elements;
87. sedimentation and erosion if slopes in excess of 15% are to be disturbed.

**Provided that the Planning Director [DM8] may waive specific submission elements based on the nature of the project . The Planning Director shall distribute said plans to the Planning Board and the Design Review Board.**

**3. Review and Timing.** The Planning Board and Design Review Board shall each separately ~~arrange to~~ meet with the applicant at **its next** a-public meeting **which is at least [10 days] after receipt of the submission** to discuss the ~~project~~**submission**. A public hearing is not required. **The Design Review Board** ~~Each board shall~~ prepare comments and recommendations as deemed appropriate **and shall submit these to the Planning Board. The Planning Board shall prepare its decision** and shall subsequently provide ~~it within~~ **it within** 30 ~~60~~ days of the submission to the applicant and the Building Inspector and Zoning Board of Appeals as may ~~be appropriate~~**be appropriate**. The Planning Board may seek the recommendations of other Town Departments depending on the nature of the application. **If the Planning Board has not issued its decision within 60 days of receipt of the submission from the applicant, the project, as described in the submission, shall be deemed approved.**

**4. Approval.** The Planning Board, based upon the recommendations of the Design Review Board and other Town Departments, shall determine whether the Standards and Criteria for Review set forth below have been satisfied. **If the Planning Board finds that the criteria have been satisfied it shall approve the project as set forth in the submissions, provided that it** ~~The Plans may be approved or approved~~ **the project** subject to conditions or plan modifications **specified by the Planning Board in writing . Failure of the Planning Board to submit its decision**

~~within 60 as provided above shall nullify the decision.~~ An operation and maintenance agreement may be required in instances where the on-site storm water system is deemed to warrant same. A construction mitigation plan may be required if ~~in the site land~~ warrants erosion and sedimentation control measures. **If the Planning Board finds that the criteria have not been satisfied, it shall disapprove the project, but state in writing the basis for its decision.**

**5. Issuance of Building Permit and Certificate of Occupancy. The Building Inspector shall not issue a building project unless and until the project is approved by the Planning Board or is deemed approved in accordance with this Section.** The Building Inspector shall verify compliance with all required conditions or plan modifications subsequent to on-site inspection prior to the issuance of a Certificate of Occupancy. If the Building Inspector determines that there is compliance the Certificate of Occupancy may be issued, or final building inspection may be made. If the Building Inspector determines that there is non-compliance the Planning Director shall be notified. The Planning Director shall notify the applicant of the work remaining to be done or conditions ~~or plan modifications~~ remaining unsatisfied.

#### E. STANDARDS AND CRITERIA FOR REVIEW

##### 1. Design Review Board

In review of Plans the Design Review Board shall **evaluate whether the project satisfies** ~~consider~~ the criteria identified in SECTION XXII. Part C **(1), (2) and (5)** of [DM9] this Zoning Bylaw.

##### 2. Planning Board

In review of Plans the Planning Board shall **determine if:** ~~consider whether and extent to which:~~

- a. the project is integrated into the existing terrain and surrounding landscape;
- b. unique natural areas, topographic features such as ledge outcrops; significant trees and landscaping; and historic features are ~~to be~~ saved or enhanced ~~or are to be altered or removed~~;
- c. ~~driveway design meets public safety standards as determined by the town traffic engineering consultant;~~
- c. disposal of storm water will **not adversely** ~~minimize adverse~~ effect on Town streets and abutting property;
- d. exterior lighting is the minimum needed to accomplish safety and design objectives and minimizes impacts on neighboring property; and
- e. shadow **will not** ~~may~~ be cast onto abutting property.

**F. COSTS**

**[TO BE DISCUSSED AND ADDED, INCLUDING HIRING OF CONSULTANTS]**

**G. APPEALS**

An applicant may appeal the conditions or plan modifications to the Zoning Board of Appeals in accordance with SECTION XXIV. PERMIT GRANTING AUTHORITY.

*or take any other action relative thereto.*

*(Planning Board)*

~~8/14/07~~